

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

MINNESOTA LIFE INSURANCE COMPANY,

Plaintiff,

v.

**Civil Action 2:16-cv-149
Magistrate Judge Chelsey M. Vascura**

JUDY RINGS, *et al.*,

Defendants.

ORDER

This matter is before the Court on Defendant Judy Rings' second Motion for Summary Judgment. Ms. Rings filed the motion pursuant to an Order by United States Magistrate Judge Terence P. Kemp after he had granted summary judgment to Ms. Rings on her claim that she is the proper beneficiary of the life insurance proceeds that are the subject of this interpleader action. Ms. Rings' current motion, which she filed within the time specified by Magistrate Judge Kemp, seeks summary judgment with respect to the counterclaims of the other defendants, Chase Lee and the Estate of Teresa Rings.

Those counterclaims are the only remaining claims in this action and all that stand in the way of the payment of the subject life insurance proceeds to Judy Rings. Magistrate Judge Kemp observed in his March 7, 2017 Opinion and Order granting Judy Rings' first motion for summary judgment that Defendants Chase Lee and Estate of Teresa Lee Rings have asserted their counterclaims to the life insurance proceeds and that they have not withdrawn those counterclaims in spite of representations from Plaintiff Minnesota Life Insurance Company that the issues raised

by the counterclaimants have been resolved. After Judy Rings filed her current motion, this matter was transferred to the docket of the Undersigned.

Defendants Chase Lee and Estate of Teresa Lee Rings have been silent in the face of Judy Rings' motion for summary judgment with respect to their counterclaims, and the time set by Magistrate Judge Kemp for their response has long since passed. The Court has considered Magistrate Judge Kemp's March 7 Opinion and Order and Judy Rings' well-supported motion and agrees with Magistrate Judge Kemp that Ms. Rings is the only proper beneficiary of the proceeds of the subject life insurance policies. Because Chase Lee and the Estate of Teresa Lee Rings have not opposed or otherwise responded to Judy Rings' motion, they have done nothing to disabuse the Court of that conclusion.

Accordingly, the Court hereby **GRANTS** Judy Rings' Motion for Summary Judgment (ECF No. 56) and **DISMISSES** the counterclaims of Chase Lee and Estate of Teresa Lee Rings. The Court **ORDERS** Minnesota Life Insurance Company to deposit the full amount of the death benefits from the two subject life insurance policies together with the interest specified in the policies, to be paid by the Clerk of Courts to counsel for Judy Rings. Plaintiff's Motion for Leave to File a Motion for Leave to Deposit Funds in an Interest-Bearing Account, Injunction, and Dismissal of Plaintiff with Prejudice (ECF No. 44) is **MOOT**. This action is **CLOSED**.

IT IS SO ORDERED.

/s/ Chelsey M. Vascura
CHELSEY M. VASCURA
UNITED STATES MAGISTRATE JUDGE